

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSCASE NO. CR04-10065United States of America
PLAINTIFFClarence Earle
DEFENDANTSeth BermanCharles RankinCOUNSEL FOR PLAINTIFFCOUNSEL FOR DEFENDANTJUDGE WolfCLERK O'LearyREPORTER RomanowCLERK'S NOTES

DATES:	Jury Trial - Day 3
11/10/05	Court goes over preliminary matters with the parties. Defendant renews his objection with regard to the
	government witnesses Ribeau and Truesdale. Defendant withdraws his waiver of the second motion to suppress
	and asks the court to deny it on the merits based on Li to preserve the defendant's appeal. Witness Joann
	Sassone retakes the stand. Exhibit D marked as exhibit 145 and admitted into evidence. Exhibit E marked as
	exhibit 15 and admitted into evidence. Court excuses the jury for the morning break and allows the parties
	to conduct a voir dire into the witness surrounding the issues raised in the defendant's second motion to
	suppress. Record of deportable alien dated 2/13/04 marked as exhibit F for id only. Record of deportable
	alien dated 4/5/01 marked as exhibit G for id only. Record of deportable alien dated 1/25/90 marked as
	exhibit H for id only. Notice to show cause dated 8/2/89 marked as exhibit I for id only. Voir dire of Ms.
	Sassone concluded. Defendant renews his motion to strike exhibit 6 and to strike government witness Agent
	Ribeau. Court denies the defendant's request. Defendant requests a voir dire of Agent Michael G. Ribeau.
	Court grants the request. Witness takes the stand and is sworn. Jury is brought back in. Government calls
	Agent Michael Ribeau - witness takes the stand and is sworn. Government calls Genius Johnson - witness
	takes the stand and is sworn. Four fingerprint comparison marked as exhibit 16-19. Exhibit 5 from the
	Denver Court file marked as exhibit J and admitted into evidence. Government calls William Sansone - witness
	takes the stand and is sworn. Jury is excused for the day. Court goes over matters with the parties concerning
	government witness Truesdale.